

### REMARKS

Claims 1, 4-13, 22-24, 26, 68, 70, 72-82, and 84 are pending in the application. Claims 2, 3, 14-21, 27-67, 69, 71, and 83 have been canceled without prejudice. Claim 23 is amended to clarify that a plant cell or yeast cell is exposed to the chemical inhibitor of mismatch repair to generate a hypermutable cell. No new matter is introduced by this amendment.

Applicants note with appreciation the withdrawal of a number of the prior rejections and receipt of an indication of allowability of claims 1, 4-13, 22, 72-82, and 84.

**Claim 23 is patentable over Euler.**

Claim 23 is rejected under 35 U.S.C. § 103 for alleged obviousness over Euler (CAPLUS Database, AN: 1948:32360, abstract only). Applicants respectfully request withdrawal of the rejection because it has not been established that the cited reference teaches or suggests the claimed subject matter.

**Claims 23, 68, and 70 are patentable over Euler in view of Kimm and Laduca.**

Claims 23, 68, and 70 are rejected under 35 U.S.C. § 103 for alleged obviousness over Euler in view of Kimm *et al.* (*Korean J. Biochemistry*, 14:1-8, abstract (1982)) and Laduca (Diss, Abstr Int [B], 55, 11, 4741 (1995) Database CancerLit). Withdrawal of the rejection is respectfully requested because it has not been demonstrated that the cited references teach or suggest the claimed subject matter.

**Claims 23 and 24 are patentable over Euler in view of Chakravarti.**

Claims 23 and 24 are rejected under 35 U.S.C. § 103 for alleged obviousness over Euler in view of Chakravarti *et al.* (*Proc. Natl. Acad. Sci. USA*, 92:10422-10426 (1995)). Applicants respectfully request withdrawal of the rejection because it has not been shown that the cited references teach or suggest the claimed subject matter.

**DOCKET NO.:** MOR-0017  
**Application No.:** 09/760,285  
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**PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116**

**Claims 23, 24, 26, and 68 are patentable over Euler in view of Zhang.**

Claims 23, 24, 26, and 68 are rejected under 35 U.S.C. § 103 for alleged obviousness over Euler in view of Zhang (U.S. Patent Application Publication No. 2002/0064879 A1). Withdrawal of the rejection is respectfully requested because it has not been established that the cited references teach or suggest the claimed subject matter.

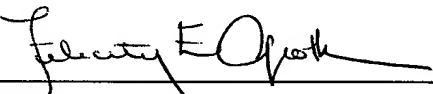
### **CONCLUSION**

Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, the undersigned may be contacted at 215-557-5908.

Respectfully submitted,

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